

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 7

February 27, 2009

SUBJECT: WARRANT SERVICE/TACTICAL PLAN REPORT PROCEDURES - REVISED; AND WARRANT REVIEW OFFICER - ESTABLISHED

PURPOSE: This Order revises the responsibilities relating to Ramey and search warrant procedures, as well as the Warrant Service/Tactical Plan Report (Tactical Plan Report), Form 12.25.00, in an effort to improve warrant service operations. Recent Department audits revealed the need to strengthen the Department's processing and review of warrant documentation following search and arrest warrant services. These audits revealed numerous errors, omissions, and inconsistencies in the warrant application and supporting documentation.

This Order also establishes the Area/specialized division Warrant Review Officer (WRO) for the purpose of addressing the above mentioned inconsistencies. This Order supersedes Special Order No. 28, dated July 15, 2003; and Detective Bureau Notices, dated February 22, 2005 and September 13, 2005.

PROCEDURE: No other reporting formats are authorized in lieu of the Tactical Plan Report. A court order, as defined in 18 United States Code (USC) Section 2703(d), shall not be used in lieu of a search or Ramey warrant, however under special circumstances where a court order is needed, the Commanding Officer of Detective Bureau shall be contacted for approval.

I. SUPERVISOR REVIEW OF AFFIDAVIT. The concerned supervisor shall place his/her initials and serial number on the lower right hand corner of each page of the original copy of the affidavit, indicating that he or she has thoroughly reviewed the document. Supervisors are reminded that every page must be reviewed and initialed in order to document a thorough review.

Exception: When a supervisor reviews a search warrant via e-mail due to the affiant being in another County and returns the corrected and reviewed warrant via e-mail, the reply e-mail will constitute a "signature" by the supervisor. After a judge has signed the warrant and it has been served, the same supervisor shall initial each page of the warrant as otherwise required by this Order.

The concerned supervisor shall also review the affidavit to determine if a Tactical Plan Report is required and if a supervisor's presence at the warrant service is recommended.

Exception: A Tactical Plan Report or Employee's Report, Form 15.07.00, is not required for search warrants targeting only third-party records (e.g., telephones, bank records, etc.) or for search warrants served at secure locations (e.g., police facilities, jail facilities, prisons, Official Police Garages, crime scenes requiring a Mincey Warrant, etc.) including warrants involving body cavity searches, deoxyribonucleic acid (DNA), blood, urine, saliva, or other bodily fluids. When determining the security of the warrant service location, and the location is other than a secure facility, the supervisor shall take into account the possibility of the arrival of any suspects, accomplices, or other persons related to the crime. Should the supervisor feel prudent measures are required, the Tactical Plan Report shall be completed. Should the supervisor determine that a Tactical Plan Report is unnecessary, he or she shall complete an Employee's Report, articulating the facts in determining the security of the warrant service location. This Employee's Report shall be approved and signed by the Area/specialized division commanding officer (CO) and included in the search warrant package. Should exigent circumstances exist that require immediate approval of the Employee's Report, the CO's designee or the Area/specialized division watch commander may do so.

A Tactical Plan Report is not required for warrants served after an unplanned tactical operation as described in *Fisher v. City of San Jose* (e.g., a barricaded suspect). Officers obtaining a search or Ramey warrant to be served by an outside agency or a Forward-Looking Infrared (FLIR) warrant (e.g., narcotics investigations, etc.) to be served by Air Support Division need not complete a Tactical Plan Report.

Note: The supervisor initializing the search warrant and/or Tactical Plan Report for approval shall not be the same as the affiant.

Supervisors are reminded that, should a warrant service require a Tactical Plan Report and should the service of the warrant involve multiple locations, a separate Tactical Plan Report must be completed for each location.

II. WARRANT SERVICE/TACTICAL PLAN REPORT, FORM 12.25.00 - REVISED. The Tactical Plan Report shall be completed prior to the service of a search or Ramey warrant.

A. Use of Form. The seven-page form shall be used to document information that will serve as the basis of the warrant service tactical plan. No other reporting formats are authorized.

B. Completion. The Tactical Plan Report shall be completed as follows:

- * **Officer.** The officer responsible for the tactical plan shall complete pages one through six of the Tactical Plan Report and submit it for approval;
- * **Supervisor.** The designated supervisor shall review the Tactical Plan Report and, if approving, sign page one. Following service of the warrant, a supervisor that was at the scene of the service shall conduct a debriefing and document the debriefing and the debriefing location in the "Debriefing Location" and "Debriefing Summary" sections and sign page seven; and,
- * **Commanding Officer.** Prior to the service, the CO or designee shall review and approve the Tactical Plan Report by placing his or her initials on the bottom right hand corner of the first page. Following service of the warrant, the CO shall review the Tactical Plan Report for completeness and sign page seven.

C. Distribution.

1 - Original, maintained by investigating Area/specialized division.

1 - TOTAL

D. File Maintenance. The original Tactical Plan Report shall be stored with the *Search Warrant and Affidavit* (DA Form 1506) and other supporting documentation. It is recommended that all warrant packages, regardless of disposition, be consistently kept in one designated location at each Area/specialized division.

III. OFFICER'S RESPONSIBILITIES. In addition to guidelines established in Department Manual Section 4/742.10, an officer obtaining a search or Ramey warrant shall:

- * Complete pages one through six of the Tactical Plan Report and submit it for approval;
- * Maintain the search or Ramey warrant and other related documents, including the completed Tactical Plan Report, Property Report, Form 10.01.00, Receipt for Property Taken Into Custody, Form 10.10.00, and Addendum to Search Warrant Return (Search Warrant Return) Form to the warrant package; and,
- * Complete all the required information on the automated Warrant Tracking Log, Form 08.17.05, accessible through the Detective Case Tracking System (DCTS). The redesigned DCTS now combines the previous search warrant and arrest warrant sections under a single unified "Warrants" button. Refer to the DCTS Basic User Instruction Manual for further instruction.

Note: In the event an officer's work location is different from their CO's location, the officer shall cause all required information to be entered on their Area/division's Warrant Tracking Log.

IV. WARRANT REVIEW OFFICER - ESTABLISHED. All Areas/specialized divisions responsible for the service of search and arrest warrants shall designate a WRO in accordance with the guidelines established in this Order. The Warrant Review Officer shall be the rank of Sergeant I, Detective II, or higher and shall conduct a final quality assurance review for completeness and accuracy of all warrant documentation. This review shall include:

- * The required notation is included in the Tactical Plan Report indicating that the concerned CO's review

was performed within seven business days after the warrant service;

- * The Warrant Tracking Log entry is complete and accurate;
- * The Property Report and the Receipt for Property Taken Into Custody forms match; and,
- * Any errors, inaccuracies, or omissions within the search warrant package are promptly corrected prior to proper storage.

V. SUPERVISOR'S RESPONSIBILITIES. A supervisor shall be present for all warrant services that require a Tactical Plan Report. If a warrant service does not require a Tactical Plan Report, the presence of a supervisor is not required. However, a supervisor's presence is recommended if such a warrant service is anticipated to yield a significant amount of narcotics or currency. In addition to guidelines established in Department Manual Sections 4/742.10 and 4/742.30, supervisors overseeing a warrant service shall review the Area/division Warrant Tracking Log to ensure that the concerned warrant is entered and properly updated, and that the return date box is completed.

A. Tactical Plan Report. Prior to the warrant service, the designated supervisor shall review and determine if a Tactical Plan Report is required. If the Tactical Plan Report is required, the supervisor shall follow the guidelines established in Section II, subsection B, of this Order.

Following the warrant service, the on-scene supervisor shall review the overall service, as well as the Tactical Plan Report, and provide the following:

- * A summary of pre/post search conditions (page six);
- * Documented confirmation that a debriefing with involved personnel was conducted no later than the next working day after warrant service (page seven); and,
- * A summary of the debriefing no later than the next working day after warrant service.

The "Debriefing Summary" section on page seven of the Tactical Plan Report shall, at a minimum, address the following issues:

- * Presence/absence of photos, audio, and/or video tapes;
- * Supervisory oversight before, during, and after service of the warrant; and,
- * Date, time, and location of the debriefing, issues discussed, and any training needs identified.

Note: If the supervisor at scene is the same as the warrant affiant, he or she shall not complete the debriefing summary.

B. Notifications. Prior to the service of the warrant, the designated supervisor shall ensure that the following notifications are made:

- * Metropolitan Division (Metropolitan Division has the option to decline direct involvement in the service. Refer to Department Manual Section 4/742.20 for further information.);
- * The on-duty watch commander of the Area where the warrant is being served; and,
- * Any outside law enforcement agency having jurisdiction over the location where the warrant is being served.

VI. COMMANDING OFFICER'S RESPONSIBILITIES. The commanding officer of each Area/specialized division (or designated Area detective's CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:

- * Maintain a single location for the Warrant Tracking Logs for his/her command in the Area detectives or specialized division office;
- * Ensure the presence of the affiant at the service of a FLIR warrant;
- * Ensure the presence of a supervisor (Sergeant I, Detective II, or higher), if necessary, during the execution of a search or Ramey warrant;

Note: The presence of a lieutenant or above is required for search or Ramey warrants initiated by any uniformed gang enforcement-related specialized detail or any warrants where uniformed gang enforcement officers act as affiants. However, a lieutenant or above is not required for warrants using uniformed gang enforcement personnel in a support capacity only. Additionally, a supervisor need not be present for the service of a FLIR warrant.

- * Ensure that the warrant number and return date are entered on the Warrant Tracking Log no later than ten business days from the date of service, with the exception of third-party records warrants;
- * Ensure that the warrant number is recorded on both the Warrant Tracking Log and the first page of the Tactical Plan Report;
- * Sign and date the bottom of the final printout of the Warrant Tracking Log, at the completion of each month; and,

Note: The return date may not be available to be entered into the return date box of the final printout of the Warrant Tracking Log if the warrant was served on or near the end of the month. Should this be the case, the investigating officer shall print the return date on the original printout signed by the CO and shall ensure that this date matches the date entered into the DCTS. The Warrant Tracking Log shall not be reprinted. The commanding officer shall initial and date the return dates (that were later added to the Warrant Tracking Log). The monthly printout of the Warrant Tracking Log shall still be submitted to the CO for his or her signature, despite the missing return date. When the warrant is returned, the investigating officer shall retrieve the original signed Warrant Tracking Log and print the return date where applicable. The commanding officer must acknowledge the updated information by initialing and dating by the added return date.

- * Complete an analysis of the performance of the supervisor who provides supervisory oversight at the scene of each warrant service, and document the results on an Employee Comment Sheet. The use of "canned language" or a "boiler plate" format shall be

avoided. The comment sheets shall be completed within seven business days of the warrant's execution and ensure that the following issues, at minimum, are addressed:

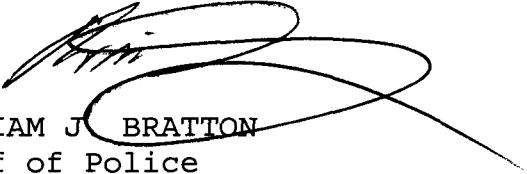
- * Identity of the specific supervisor assigned (e.g., name, rank, and serial number);
- * Warrant location;
- * Date and time of service;
- * Any tactical concerns relating to the warrant service;
- * The circumstances surrounding the presence of a supervisor during the service of the warrant;
- * Whether the supervisor's actions during the service of the warrant were appropriate;
- * Whether the supervisor was present throughout the entire search;
- * Whether the assigned supervisor ensured all involved personnel received a proper briefing prior to the service;
- * Whether the supervisor ensured the proper documentation of any currency or valuables discovered during the search;
- * Whether the supervisor ensured that a copy of the search warrant was left at the location;
- * Whether the supervisor ensured the location was properly secured;
- * Whether the supervisor ensured the debriefing was conducted and documented within the appropriate time frame; and,
- * Upon completion, sign and date the Tactical Plan Report.

Note: If multiple locations are involved and multiple supervisors are involved, the CO shall complete an Employee Comment Sheet to include an analysis of the performance of each supervisor at each scene of the service of the search or Ramey warrant who provided supervisory oversight.

The Area/specialized division CO, Area patrol CO, detective officer in charge, or their respective designee (of supervisory rank or above) shall designate a WRO and ensure that the WRO conducts a timely review of all warrant documentation.

FORM AVAILABILITY: The revised Warrant Service/Tactical Plan, Form 12.25.00, is available in LAPD Forms on the Department's Local Area Network (LAN).

AMENDMENTS: This Order amends Sections 4/742.10 and 4/742.30 of the Department Manual.



WILLIAM J. BRATTON
Chief of Police

Attachment

DISTRIBUTION "A"

Los Angeles Police Department
Warrant Service/Tactical Plan Report

MULTIPLE DR NUMBERS DR No. Arrest Warrant Search Warrant

Warrant No. _____ Day Service
 Charge _____ Night Service
 Holding Agency _____

Briefing

Location		Date	Time
Staging Location	<input type="checkbox"/> Same as Briefing	Date	Time
Search for:			

Warrant Service Location

Address	Apt. No.	City	Phone No.	T.G. Page & Grid
Date of Service	Time of Service	Incident No.	Radio Frequency	<input type="checkbox"/> RD <input type="checkbox"/> (9999 Outside L.A.)
Supervisor at Scene			Rank	Serial No.
SWAT Officer at the Scene, if applicable			Rank	Serial No.
Site Safety Officer (Hazmat, Bomb Squad, etc.), if applicable			Rank	Serial No.
Nearest Emergency Treatment Facilities (Hospitals)	Is this a Trauma Center?		E.R. Phone No.	
	<input type="checkbox"/> YES <input type="checkbox"/> NO			
	<input type="checkbox"/> YES <input type="checkbox"/> NO			
	<input type="checkbox"/> YES <input type="checkbox"/> NO			

Investigating Officer/Case Agent	Rank	Serial No.	Division/Unit
Approving Supervisor (print or type)	Rank	Serial No.	Division/Unit
(Signature)	Date approved	REMINDER: Commanding Officer signature is required on page 7 .	

WARRANT SERVICE/TACTICAL PLAN REPORT

Occupant Information

		No. of Occupants	Date of Intelligence	Additional Information
<input type="checkbox"/> Adult Males				
<input type="checkbox"/> Adult Females				
<input type="checkbox"/> Juvenile Males				
<input type="checkbox"/> Juvenile Females				
<input type="checkbox"/> Persons with Medical Problems				
<input type="checkbox"/> Dogs				
<input type="checkbox"/> Narcotics at Location				

Suspect Information

S-1	Sex	Desc	Hair	Eyes	Height	Weight	DOB	Age	Name	Photo	Arrested
LA No.	CII No.					FBI No.			J No.		
DL No.	State					SS No.			BKG No.		
Gang Member? <input type="checkbox"/> YES <input type="checkbox"/> NO						Gang Affiliation:					
Rap Checked? <input type="checkbox"/> YES <input type="checkbox"/> NO						Brief history/threat assessment:					
S-2	Sex	Desc	Hair	Eyes	Height	Weight	DOB	Age	Name	Photo	Arrested
LA No.	CII No.					FBI No.			J No.		
DL No.	State					SS No.			BKG No.		
Gang Member? <input type="checkbox"/> YES <input type="checkbox"/> NO						Gang Affiliation:					
Rap Checked? <input type="checkbox"/> YES <input type="checkbox"/> NO						Brief history/threat assessment:					
S-3	Sex	Desc	Hair	Eyes	Height	Weight	DOB	Age	Name	Photo	Arrested
LA No.	CII No.					FBI No.			J No.		
DL No.	State					SS No.			BKG No.		
Gang Member? <input type="checkbox"/> YES <input type="checkbox"/> NO						Gang Affiliation:					
Rap Checked? <input type="checkbox"/> YES <input type="checkbox"/> NO						Brief history/threat assessment:					
S-4	Sex	Desc	Hair	Eyes	Height	Weight	DOB	Age	Name	Photo	Arrested
LA No.	CII No.					FBI No.			J No.		
DL No.	State					SS No.			BKG No.		
Gang Member? <input type="checkbox"/> YES <input type="checkbox"/> NO						Gang Affiliation:					
Rap Checked? <input type="checkbox"/> YES <input type="checkbox"/> NO						Brief history/threat assessment:					

 Additional Suspects

(For additional suspects, use Continuation Sheet.)

Surveillance of LocationYES NO

Date/Time of Surveillance _____ No. of Hours _____

Date/Time of Surveillance _____ No. of Hours _____

Vehicle Information

VEH 1	Suspects <input type="checkbox"/> S#(s)	Other <input type="checkbox"/>	Yr.	Make	Model	Type	Color	Lic. No.	State	DMV <input type="checkbox"/>
2	<input type="checkbox"/> S#(s)	<input type="checkbox"/>								<input type="checkbox"/>
3	<input type="checkbox"/> S#(s)	<input type="checkbox"/>								<input type="checkbox"/>
4	<input type="checkbox"/> S#(s)	<input type="checkbox"/>								<input type="checkbox"/>

WARRANT SERVICE/TACTICAL PLAN REPORT**Notifications****INTRADEPARTMENTAL**

Entity	Name	Rank	Date and Time Notified		By Whom Notified
<input type="checkbox"/> Metro					
<input type="checkbox"/> Communications*					
<input type="checkbox"/> I.S.D.					
<input type="checkbox"/> L.A. CLEAR					
<input type="checkbox"/> W/C					
<input type="checkbox"/>					
<input type="checkbox"/>					

*Communications shall be advised when officers go at scene.

OTHER

Was Warrant Served Outside of the City of Los Angeles?

YES NO

Was Outside Agency Notified?

YES NO

Agency	Person Notified	Rank	Date and Time Notified		By Whom Notified

LIST OF AGENCIES PARTICIPATING IN WARRANT SERVICE

1.		6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

Safety Equipment

Body Armor, Raid Jackets, etc.

Other Specialized Equipment

Fortification (List special equipment necessary, i.e., pry bar, tow truck, ram, etc.)



DIAGRAM

PREMISES

- Description of Premises
- Floor Plan
- Photos of Location (for Briefing Purposes)

WARRANT SERVICE/TACTICAL PLAN REPORT**ASSIGNMENT ROSTER**

	NAME	RANK	SERIAL NO.	DIVISION/AGENCY	ASSIGNMENT DURING SERVICE OF WARRANT*	EQUIPMENT
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						
21.						
22.						
23.						
24.						
25.						
26.						
27.						
28.						
29.						
30.						
31.						
32.						
33.						
34.						
35.						

*NOTE: List duties as "Supervisor" if he/she provides supervisory oversight only.

Any officer listed as a supervisor requires a C/O analysis on an Employee Comment Sheet.

LIST OF OCCUPANTS DETAINED AT LOCATION

NAME		ADDRESS	DRIVER LICENSE (OR LIST SSN)	DOB	SEX	HANDCUFFED	DISPOSITION
1.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
2.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
3.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
4.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
5.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
6.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
7.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
8.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
9.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	
10.					<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO	

Condition of Location

Pre-Search Supervisor Present _____

Pre-search Condition: _____

Post-Search Supervisor Present _____

Post-search Condition: _____

_____**METHOD USED TO GAIN ENTRY:** _____**DAMAGE:** _____

Location secured by: Name _____ Serial No. _____

How secured? _____

LOCATION:VIDEOTAPE: Y NUSE OF FORCE: Y NKNOCK NOTICE: NAME:SERIAL #:PHOTOS: Y N BEFORE SEARCHAFTER SEARCHIF NO PHOTOS, EXPLAIN:DEBRIEFING LOCATION:DEBRIEFING CONDUCTED BY:DATE & TIME:

NAME

SERIAL #

DEBRIEFING COMMENTS:TACTICS EVALUATION:POST EVALUATION OF EQUIPMENT USED:ADDITIONAL INTELLIGENCE: (Officer safety factors such as, security cameras, barricaded doors, dogs, etc.) Specific to location.MISCELLANEOUS:

A detailed analysis of each supervisor's response to the incident or service of warrant shall be documented by his/her Commanding Officer on an Employee Comment Sheet, Form 01.77.00, for the following supervisors at the scene:

Rank	Last Name	Serial No.
Rank	Last Name	Serial No.
Rank	Last Name	Serial No.
Rank	Last Name	Serial No.

COMMANDING OFFICER

Date